

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In Re:

FIRSTENERGY SOLUTIONS CORP., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 18-50757
) (Jointly Administered)
)
) Hon. Alan M. Koschik
)
) Re: Dkt. No. 3283

**NOTICE OF APPEAL UNDER 28 U.S.C. 158(A)(1) AND STATEMENT OF ELECTION
FILED BY CITIZEN ORGANIZATIONS (ENVIRONMENTAL LAW & POLICY
CENTER, OHIO CITIZEN ACTION, OHIO ENVIRONMENTAL COUNCIL, AND
ENVIRONMENTAL DEFENSE FUND)**

Part 1: Identify the appellant(s)

1. Environmental Law & Policy Center – Other: interested party, Citizen Organization
2. Ohio Citizen Action – Other: interested party, Citizen Organization
3. Ohio Environmental Council – Other: interested party, Citizen Organization
4. Environmental Defense Fund – Other: interested party, Citizen Organization

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from: Order Confirming the Eighth Amended Joint Plan of Reorganization of FirstEnergy Solutions Corp., et al., pursuant to Chapter 11 of the Bankruptcy Code [Dkt. No. 3283 Filed and Entered 10/16/2019].
2. State the date on which the judgment, order, or decree was entered: **October 16, 2019.**
The Confirmation Order states that it is a final order and the period in which a notice of appeal must be filed commences upon entry of the order.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: FE Aircraft Leasing Corp. (9245), case no. 18-50759; FirstEnergy Generation, LLC (0561), case no. 18-50762; FirstEnergy Generation Mansfield Unit 1 Corp. (5914), case no. 18-50763; FirstEnergy Nuclear Generation, LLC (6394), case no. 18-50760; FirstEnergy Nuclear Operating Co. (1483), case no. 18-50761; FirstEnergy Solutions Corp. (0186) case no. 18-80757; and Norton Energy Storage L.L.C. (6928), case no. 18-50764. The Debtors' address is: 341 White Pond Dr., Akron, OH 44320.

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

Party	Attorney
APPELLANTS Environmental Law & Policy Center Ohio Citizen Action Ohio Environmental Council Environmental Defense Fund	Howard A. Learner Margrethe Kearney Environmental Law & Policy Center 35 East Wacker Drive, Suite 1600 Chicago, IL 60601 Telephone: (312) 673-6500 E-mails: HLearner@elpc.org MKearney@elpc.org Brady C. Williamson GODFREY & KAHN, S.C. One East Main Street, Suite 500 P.O. Box 2719 Madison, WI 53701-2719 Phone: 608-284-2654, Fax: 608-257-0609 E-mail: bwilliam@gklaw.com
APPELLEES FirstEnergy Solutions Corp. FE Aircraft Leasing Corp. FirstEnergy Generation, LLC FirstEnergy Generation Mansfield Unit 1 Corp. FirstEnergy Nuclear Generation, LLC FirstEnergy Nuclear Operating Company Norton Energy Storage L.L.C.	Akin Gump Strauss Hauer & Feld LLP One Bryant Park, Bank of America Tower New York, NY 10036-6745 Phone: 212.872.1000, Fax: 212.872.1002 Ira Dizengoff, Lisa Beckerman Brad Kahn Akin Gump Strauss Hauer & Feld LLP 1333 New Hampshire Avenue, N.W. Washington, D.C. 20036 Phone: 202.887.4000, Fax: 202.887.4288 Scott Alberino Kate Doorley Brouse McDowell LPA 388 South Main Street, Suite 500 Akron, OH 44311 Phone: 330.535.5711, Fax: 330.253.8601 Marc B. Merklin Kate M. Bradley Bridget A. Franklin

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158 (c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

Dated: October 29, 2019.
Madison, Wisconsin

Respectfully submitted,

/s/ Margrethe Kearney

Howard A. Learner²

Margrethe Kearney (*admitted pro hac vice*)

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Attorneys for Environmental Law & Policy Center

² Mr. Learner is admitted to practice in the District Court for the Northern District of Ohio.

CERTIFICATE OF SERVICE

I hereby certify that, on October 29, 2019, I electronically filed the foregoing Notice of Appeal and Statement of Election with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all EM/ECF participants.

/s/ Brady C. Williamson

Brady C. Williamson

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